

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)  
Robert C. Nisenson, LLC  
10 Auer Court  
East Brunswick, New Jersey 08816  
(732-238-8777  
Robert C. Nisenson, Esq.  
Attorneys for Debtor  
RCN 6680

In the Matter of

JAMES MASSA

DEBTORS



Order Filed on December 29, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.:16-28104

Judge: Kathryn C. Ferguson

**AMENDED ORDER TO APPROVE CREDITORS MODIFICATION  
AGREEMENT**

The relief set forth on the following pages, numbered two (2) through \_\_\_\_\_ is  
hereby **ORDERED**.

**DATED: December 29, 2016**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

**ROBERT C. NISENSEN, L.L.C.**  
10 Auer Court  
East Brunswick, New Jersey 08816  
(732) 238-8777  
Attorneys for Debtors  
Robert C. Nisenson, Esq.  
Attorney No.: RCN 6680

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

<b>In Re:</b>	:	Case #: 16-28104 KCF
	:	
<b>JAMES MASSA</b>	:	Chapter 13
	:	
	:	
	:	
<b>Debtors.</b>	:	<b>ORDER TO APPROVE</b>
	:	<b>MODIFICATION AGREEMENT</b>
	:	

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This matter having been opened to the Court upon motion of James Massa, by and through their attorneys, **ROBERT C. NISENSEN, L.L.C.**, seeking an Order to approve a trial modification with MidFirst Bank and the Debtor appearing by its counsel and the Court having considered all supporting and opposing Affidavits, and Briefs, if any; and good cause appearing for the entry of this Order;

**ORDERED** the Debtor and MidFirst are authorized to enter into the Trial Period Loan Modification Agreement and it is further;

**ORDERED** in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its proof of claim to the amount paid to date by the Chapter 13 Trustee and any amounts not capitalized in the loan modification or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

**ORDERED**, that the Chapter 13 Trustee shall suspend disbursements to Secured Creditor pending completion of loan modification and all money that would otherwise to be paid to Secured Creditor, be held until the arrearage portion of the claim is amended or the claim is withdrawn, or the Trustee is notified by the Secured Creditor that the modification was not consummated; and it is further

**ORDERED**, in the event the modification is not consummated, the Secured Creditor shall notify the Trustee and Debtor's Attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Secured Creditor; and it is further

**ORDERED**, in the event the proof of claim is amended or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and it is further

**ORDERED**, THAT UPON Debtor obtaining a permanent loan modification, Debtor will file a Supplemental Motion to Approve said loan modification and upon approval of the permanent loan modification, Debtor shall file an amended Schedule J and Modified Plan; and it is further.

**ORDERED** upon finalization of the loan modification, Secured Creditor will amend its claim to reflect the amount paid by the trustee to date, plus any outstanding bankruptcy fees and/or post-petition fees, charges and expenses that were not capitalized into the new principal balance of the loan modification; and it is further

**ORDERED** that a copy of this Order shall be served upon all parties within \_\_\_\_ days of the date hereof.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
James Massa  
Debtor

Case No. 16-28104-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 29, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 31, 2016.

db +James Massa, 178 Southwood Dr, Old Bridge, NJ 08857-1659

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 31, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 29, 2016 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor MidFrist Bank dcarlon@kmllawgroup.com,  
bkgroup@kmllawgroup.com  
Joel R. Glucksman on behalf of Creditor Old Bridge Municipal Utilities Authority  
jglucksman@scarincihollenbeck.com  
Robert C. Nisenson on behalf of Debtor James Massa rnisenon@aol.com,  
nisenonlaw@aol.com;G2729@notify.cincompass.com;nisenonlaw@gmail.com

TOTAL: 4